

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Douglas Groch, et al.,

Case No. 3:06CV1604

Plaintiffs

v.

ORDER

General Motors Corporation, et al.,

Defendants

This is a employer intentional tort action in which the parties, with the exception of the defendant General Motors Corporation, have submitted a joint motion to certify certain questions to the Ohio Supreme Court pursuant to Rule XVIII of that Court's Rules of Practice.

Accompanying the motion are two proposed orders. They differ only in that one of the orders includes a question that the other does not: namely, "Does Senate Bill 80 violate the one-subject rule, Article II, Section 15, of the Ohio Constitution?"

Defendants believe that the plaintiffs' amended complaint does not include allegations sufficient to justify this question or its certification.

Plaintiffs disagree, and point to Paragraph 47 of their First Amended Complaint. That paragraph, which concludes plaintiffs' allegations and immediately precedes their prayer for relief, states: "To the extent that the provisions contained within O.R.C. § 2305.10 as amended by S.B. 80, apply to this action the statute violates the constitution of the State of Ohio."

I agree that, as stated, this blunderbuss, scatter-shot allegation fails to give reasonable notice of the specific contention: namely violation of the one-subject rule of the Ohio Constitution. Accordingly, the proposed order certifying to the fourteen other questions shall be certified.

It is, therefore,

ORDERED THAT the Clerk shall file the Order (presently to be found at pp. 7 through 11 of Document 30) certifying fourteen questions to the Ohio Supreme Court under Rule XVIII of the Rules of Practice of the Ohio Supreme Court.

So ordered.

s/James G. Carr
James G. Carr
Chief Judge